THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 23619 of 2006

Date: 15.11.2006

Between:

Thalari V.V.D. Madhava Rao, Unemployee, S/o Gangadhara Rama Rao, Hindu, aged about 20 years, D.No.18-9-100, Lorry Stand Street, Samalkot, East Godavari District.

.... PETITIONER

AND

The Director (R), Directorate of Light Houses and Light Ships, (Ministry of Shipping), Dock Labour Board Building, 5th Floor, Karmik Jyothi, Port Area, Visakhapatnam and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 23619 of 2006

Order:

This writ petition is filed seeking a Mandamus declaring the action of respondent No.1 in not allowing the petitioner to appear for written test/interview for selection and appointment to the post of Assistant Light Keeper (Junior Scale), as illegal and arbitrary, and consequently to direct respondent No.1 to consider the case of the petitioner for selection and appointment to the post of Assistant Light Keeper (Junior Scale) without insisting that the petitioner's name should be sponsored by the Employment Exchange.

2. The case of the petitioner, who claims to have passed 10th Class, is that he registered his name with the District Employment Exchange, Kakinada, East Godavari District. It is stated that respondent No.1 has requisitioned names from respondent No.2- District Employment Officer to consider their candidature for appointment to the posts of Assistant Light Keeper (Junior Scale) and the written test and interview is scheduled to be held on 24.11.2006. It is the further case of the petitioner that as his name was not sponsored by respondent No.2, he made an application to respondent No.1 to consider his candidature for appointment to the said post. The grievance of the petitioner is that his candidature is not being considered by the respondents on the ground that his name was not sponsored by the Employment Exchange, which is contrary to the judgment of the apex Court in ***Excise Superintendent, Malakapatnam v. Vishweswara Rao***[1]. Hence, he filed the present writ petition.

3. Heard the learned counsel for the petitioner and the learned

Standing Counsel for respondent No.1.

4. Though sponsoring of candidates through Employment Exchange is treated as one of the known sources of candidates for consideration for employment in Government service and public sector undertakings, there does not exist any prohibition for them in considering the cases of eligible candidates, even if not sponsored by the Employment Exchange.

5. In the circumstances, I dispose of the writ petition directing the respondents to consider the candidature of the petitioner and allow him to appear for written test, if he is eligible, along with the candidates sponsored by the local Employment Exchange. However, it is made clear that the case of the petitioner shall be considered subject to his possessing requisite qualifications and complying all other conditions notified for selection and appointment to the said post. No costs.

_____

N.V. RAMANA, J.

Date: 15.11.2006
Nsr/Grk

---

[1] 1996 (6) Scale 676